

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MICHAEL RICHARD LYNCH AND
STEPHEN KEITH CHAMBERLAIN

Defendants.

CASE NO. 3:18-cr-00577-CRB

**[PROPOSED] ORDER GRANTING
DEFENDANT STEPHEN
CHAMBERLAIN'S MOTION FOR
ISSUANCE OF SUBPOENAS AND
LETTERS ROGATORY PURSUANT TO
FEDERAL RULE OF CRIMINAL
PROCEDURE 17(c) RELATING TO
DAUD KHAN AND PAUL MORLAND**

Date: November 24, 2021

Time: 1:30 p.m.

Crtrm.: 6

Assigned to Hon. Charles R. Breyer

EXHIBIT 1

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

STEPHEN K. CHAMBERLAIN

**SUBPOENA TO PRODUCE
 DOCUMENTS OR OBJECTS
 IN A CRIMINAL CASE**

Case No.: 3:18-cr-00577-CR

Defendant(s).

TO: Hafeez Bux Daud Khan

YOU ARE COMMANDED to produce at the place, date, and time specified the document(s) or object(s) indicated below. If compliance would be unreasonable or oppressive, you may file a motion requesting the court to quash or modify the subpoena, to review the documents in camera, or to permit production only pursuant to a protective order.

PLACE

U.S. Courthouse
 450 Golden Gate Ave.
 San Francisco, CA 94102

U.S. Courthouse
 280 South First St.
 San Jose, CA 95113

U.S. Courthouse
 3140 Boeing Ave.
 McKinleyville, CA 95519

U.S. Courthouse
 1301 Clay Street
 Oakland, CA 94612

COURTROOM/JUDGE

6/Breyer

DATE AND TIME
 12/30/2021 09:00

If the document(s) or object(s) are produced in advance of the date specified, either to the court in an envelope delivered to the clerk's office or to the issuing attorney whose name and address appears below, no appearance is necessary.

The following document(s) or object(s) shall be produced:

All records and communications in the possession of Hafeez Bux Daud Khan relating to Autonomy, Mr. Stephen Chamberlain, or Dr. Michael Lynch, including but not limited to, electronic or hard copy documents, hand-written notes, reports (and drafts thereof), emails (including emails sent or received by Daud.Khan@gmail.com), chat messages, text messages, social media account communications, voicemails and audio recordings.

NOTE: Subpoena forms requiring the appearance of a witness to testify at a criminal proceeding or to testify and bring documents to a criminal proceeding, must use Form CAND 89A, *Subpoena to Testify in a Criminal Case*) or for the production of state law enforcement personnel or complaint records (CAND 89C, *Subpoena to Produce State Law Enforcement Personnel Or Complaint Records in a Criminal Case*) are available at the Court's website: cand.uscourts.gov.

U.S. MAGISTRATE JUDGE OR CLERK OF COURT

DATE

(By) Deputy Clerk

ATTORNEY'S NAME, ADDRESS AND PHONE NUMBER:

Gary S. Lincenberg
 Bird, Marella, Boxer, Wolpert, Nessim, Drooks, Lincenberg & Rhow, PC.
 1875 Century Park East, 23rd Floor, Los Angeles, CA 90067-2561
 310-201-2100

CAND 89B (Rev. 6/17) Subpoena to Produce Documents or Objects in a Criminal Case

PROOF OF SERVICE		
RECEIVED BY SERVER	DATE	PLACE
SERVED	DATE	PLACE
SERVED ON (PRINT NAME)	FEES AND MILEAGE TENDERED TO WITNESS <input type="checkbox"/> YES <input type="checkbox"/> NO AMOUNT \$	
SERVED BY (PRINT NAME)	TITLE	
DECLARATION OF SERVER		
I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Proof of Service is true and correct.		
Executed on _____	DATE	SIGNATURE OF SERVER
ADDRESS:		
ADDITIONAL INFORMATION		

EXHIBIT 2

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

vs.
MICHAEL R. LYNCH AND
STEPHEN K. CHAMBERLAIN

Defendants.

CASE NO. 3:18-cr-00577-CRB

**[PROPOSED] LETTER ROGATORY
TO THE APPROPRIATE JUDICIAL
AUTHORITY OF THE UNITED
KINGDOM**

Hon. Charles R. Brever

1 The Honorable Charles R. Breyer, United States District Court Judge of the United
2 States District Court for the Northern District of California, presents his compliments to
3 the Appropriate Judicial Authority of the United Kingdom of Great Britain and Northern
4 Ireland and requests international assistance to obtain evidence to be used in a criminal
5 proceeding before this Court in the above-captioned matter.

6 This Court requests the assistance described herein as necessary in the interests of
7 justice and for the purpose of a full and fair trial. The assistance requested is that the
8 appropriate judicial authority of the Crown compel Hafeez Bux Daud Khan to produce the
9 documents identified below.

10 **I. FACTUAL BACKGROUND**

11 This request relates to a criminal case brought against Stephen Chamberlain by the
12 United States of America in the Northern District of California. The Second Superseding
13 Indictment ("SI") alleges that Mr. Chamberlain, Dr. Michael Lynch, and others defrauded
14 purchasers and sellers of Autonomy securities, including, specifically, Hewlett-Packard
15 Company ("HP") in connection with its purchase of Autonomy Corporation plc
16 ("Autonomy") in August 2011. SI at ¶¶ 19, 21. The case against Mr. Chamberlain is in
17 pretrial proceedings at present. This Letter Rogatory stems from a request by counsel for
18 Mr. Chamberlain for materials which this Court has found are relevant and material for his
19 defense at trial and requested in the interests of justice.

20 The charges against Mr. Chamberlain rely in part on the testimony of Mr. Khan, a
21 former securities analyst who covered Autonomy, and who has previously testified in
22 related proceedings, including *United States v. Hussain*, No. CR 16-462 CRB, and
23 *Autonomy Corp. Ltd. v. Lynch*, Claim No. HC-2015-001324 (High Court of Justice,
24 Chancery Division, London, U.K.). Mr. Khan has testified that Autonomy's senior
25 management misled him and other market participants regarding Autonomy's finances and
26 products. The SI alleges that analysts such as Mr. Khan relied on Autonomy's financial
27 statements that Mr. Chamberlain helped to prepare, and that Mr. Chamberlain presented
28 deceptive information regarding Autonomy's (i) revenue from hardware sales; (ii) Original

1 Equipment Manufacturer ("OEM") revenue; and (iii) cost allocation relating to the launch
2 of its new Structured Probabilistic Engine ("SPE") product in Q3 2009, among other
3 things. Mr. Khan has claimed that this inflated financial information led to an inflated
4 share price.

5 The record as of now is materially incomplete, as Mr. Chamberlain currently has
6 access to only a limited set of Mr. Khan's relevant communications. As such, it will be
7 critical for Mr. Chamberlain to receive additional evidence from Mr. Khan in order
8 to establish that, contrary to Mr. Khan's testimony, he was not deceived and that there was no
9 fraudulent scheme.

10 **II. RECIPROCITY**

11 The United States District Court for the Northern District of California expresses its
12 willingness to provide similar assistance to judicial authorities of the United Kingdom of
13 Great Britain and Northern Ireland, should the need arise, and to the extent permissible by
14 law.

15 **III. REIMBURSEMENT FOR COSTS**

16 The United States District Court for the Northern District of California assures the
17 Courts of the United Kingdom of Great Britain and Northern Ireland that Mr. Chamberlain
18 stands ready to reimburse the judicial authorities of the United Kingdom of Great Britain
19 and Northern Ireland for any costs incurred in executing the requesting court's letters
20 rogatory.

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1 **IV. EVIDENCE TO BE OBTAINED**

2 This request is directed to Hafeez Bux Daud Khan's ("Daud Khan"), Flat B, 19
3 Chetwode Road, London SW17 7RF, for the production of the materials identified below:

4 1. All records and communications in the possession of Hafeez Bux Daud Khan
5 relating to Autonomy, Mr. Stephen Chamberlain, or Dr. Michael Lynch, including but not
6 limited to, electronic or hard copy documents, hand-written notes, reports (and drafts
7 thereof), emails (including emails sent or received by Daud.Khan@gmail.com), chat
8 messages, text messages, social media account communications, voicemails and audio
9 recordings.

10
11
12 DATED: _____

13 Honorable Charles R. Breyer
14 United States District Court Judge
Northern District of California

EXHIBIT 3

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

STEPHEN K. CHAMBERLAIN

**SUBPOENA TO PRODUCE
 DOCUMENTS OR OBJECTS
 IN A CRIMINAL CASE**

Case No.: 3:18-cr-00577-CR

Defendant(s).

TO: JP Morgan Chase Bank, N.A

YOU ARE COMMANDED to produce at the place, date, and time specified the document(s) or object(s) indicated below. If compliance would be unreasonable or oppressive, you may file a motion requesting the court to quash or modify the subpoena, to review the documents in camera, or to permit production only pursuant to a protective order.

PLACE

U.S. Courthouse
 450 Golden Gate Ave.
 San Francisco, CA 94102

U.S. Courthouse
 280 South First St.
 San Jose, CA 95113

U.S. Courthouse
 3140 Boeing Ave.
 McKinleyville, CA 95519

U.S. Courthouse
 1301 Clay Street
 Oakland, CA 94612

COURTROOM/JUDGE

6/Breyer

DATE AND TIME
 12/30/2021 09:00

If the document(s) or object(s) are produced in advance of the date specified, either to the court in an envelope delivered to the clerk's office or to the issuing attorney whose name and address appears below, no appearance is necessary.

The following document(s) or object(s) shall be produced:

All communications and documents, in hard copy or electronic form, generated by or sent to Mr. Daud Khan, relating to Autonomy, Mr. Stephen Chamberlain, or Dr. Michael Lynch, including but not limited to chat messages or transcripts, emails (including from daud.khan@cazenove.com, Daud.Khan@jpmorgan.com and Daud.Khan@JPMResearchmail.com), instant messages, Bloomberg communications (including from DKHAN5@Bloomberg.net), voicemails, audio recordings, hand-written notes, and reports (or drafts thereof).

NOTE: Subpoena forms requiring the appearance of a witness to testify at a criminal proceeding or to testify and bring documents to a criminal proceeding, must use Form CAND 89A, *Subpoena to Testify in a Criminal Case*) or for the production of state law enforcement personnel or complaint records (CAND 89C, *Subpoena to Produce State Law Enforcement Personnel Or Complaint Records in a Criminal Case*) are available at the Court's website: cand.uscourts.gov.

U.S. MAGISTRATE JUDGE OR CLERK OF COURT

DATE

(By) Deputy Clerk

ATTORNEY'S NAME, ADDRESS AND PHONE NUMBER:

Gary S. Lincenberg
 Bird, Marella, Boxer, Wolpert, Nessim, Drooks, Lincenberg & Rhow, PC.
 1875 Century Park East, 23rd Floor, Los Angeles, CA 90067-2561
 310-201-2100

CAND 89B (Rev. 6/17) Subpoena to Produce Documents or Objects in a Criminal Case

PROOF OF SERVICE		
RECEIVED BY SERVER	DATE	PLACE
SERVED	DATE	PLACE
SERVED ON (PRINT NAME)	FEES AND MILEAGE TENDERED TO WITNESS <input type="checkbox"/> YES <input type="checkbox"/> NO AMOUNT \$	
SERVED BY (PRINT NAME)	TITLE	
DECLARATION OF SERVER		
I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Proof of Service is true and correct.		
Executed on _____	DATE	SIGNATURE OF SERVER
ADDRESS:		
ADDITIONAL INFORMATION		

EXHIBIT 4

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

STEPHEN K. CHAMBERLAIN

**SUBPOENA TO PRODUCE
 DOCUMENTS OR OBJECTS
 IN A CRIMINAL CASE**

Case No.: 3:18-cr-00577-CR

Defendant(s).

TO: Joh. Berenberg, Gossler & Co. KG

YOU ARE COMMANDED to produce at the place, date, and time specified the document(s) or object(s) indicated below. If compliance would be unreasonable or oppressive, you may file a motion requesting the court to quash or modify the subpoena, to review the documents in camera, or to permit production only pursuant to a protective order.

PLACE

U.S. Courthouse
 450 Golden Gate Ave.
 San Francisco, CA 94102

U.S. Courthouse
 280 South First St.
 San Jose, CA 95113

U.S. Courthouse
 3140 Boeing Ave.
 McKinleyville, CA 95519

U.S. Courthouse
 1301 Clay Street
 Oakland, CA 94612

COURTROOM/JUDGE

6/Breyer

DATE AND TIME
 12/30/2021 09:00

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The following document(s) or object(s) shall be produced:

All communications and documents, in hard copy or electronic form, generated by or sent to Mr. Daud Khan, relating to Autonomy, Mr. Stephen Chamberlain, or Dr. Michael Lynch, including but not limited to chat messages or transcripts, emails, text messages, Bloomberg communications, voicemails, audio recordings, hand-written notes, and reports (or drafts thereof).

NOTE: Subpoena forms requiring the appearance of a witness to testify at a criminal proceeding or to testify and bring documents to a criminal proceeding, must use Form CAND 89A, *Subpoena to Testify in a Criminal Case*) or for the production of state law enforcement personnel or complaint records (CAND 89C, *Subpoena to Produce State Law Enforcement Personnel Or Complaint Records in a Criminal Case*) are available at the Court's website: cand.uscourts.gov.

U.S. MAGISTRATE JUDGE OR CLERK OF COURT

DATE

(By) Deputy Clerk

ATTORNEY'S NAME, ADDRESS AND PHONE NUMBER:

Gary S. Lincenberg
 Bird, Marella, Boxer, Wolpert, Nessim, Drooks, Lincenberg & Rhow, PC.
 1875 Century Park East, 23rd Floor, Los Angeles, CA 90067-2561
 310-201-2100

CAND 89B (Rev. 6/17) Subpoena to Produce Documents or Objects in a Criminal Case

PROOF OF SERVICE		
RECEIVED BY SERVER	DATE	PLACE
SERVED	DATE	PLACE
SERVED ON (PRINT NAME)	FEES AND MILEAGE TENDERED TO WITNESS <input type="checkbox"/> YES <input type="checkbox"/> NO AMOUNT \$	
SERVED BY (PRINT NAME)	TITLE	
DECLARATION OF SERVER		
I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Proof of Service is true and correct.		
Executed on _____	DATE	SIGNATURE OF SERVER
ADDRESS:		
ADDITIONAL INFORMATION		

EXHIBIT 5

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

STEPHEN K. CHAMBERLAIN

**SUBPOENA TO PRODUCE
 DOCUMENTS OR OBJECTS
 IN A CRIMINAL CASE**

Case No.: 3:18-cr-00577-CR

Defendant(s).

TO: Paul Gilmer Morland

YOU ARE COMMANDED to produce at the place, date, and time specified the document(s) or object(s) indicated below. If compliance would be unreasonable or oppressive, you may file a motion requesting the court to quash or modify the subpoena, to review the documents in camera, or to permit production only pursuant to a protective order.

PLACE

U.S. Courthouse
 450 Golden Gate Ave.
 San Francisco, CA 94102

U.S. Courthouse
 280 South First St.
 San Jose, CA 95113

U.S. Courthouse
 3140 Boeing Ave.
 McKinleyville, CA 95519

U.S. Courthouse
 1301 Clay Street
 Oakland, CA 94612

COURTROOM/JUDGE

6/Breyer

DATE AND TIME
 12/30/2021 09:00

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The following document(s) or object(s) shall be produced:

All records and communications in the possession of Paul Morland relating to Autonomy, Mr. Stephen Chamberlain, or Dr. Michael Lynch, including but not limited to, electronic or hard copy documents, hand-written notes, reports (and drafts thereof), emails, chat messages, text messages, social media account communications, voicemails and audio recordings.

NOTE: Subpoena forms requiring the appearance of a witness to testify at a criminal proceeding or to testify and bring documents to a criminal proceeding, must use Form CAND 89A, *Subpoena to Testify in a Criminal Case*) or for the production of state law enforcement personnel or complaint records (CAND 89C, *Subpoena to Produce State Law Enforcement Personnel Or Complaint Records in a Criminal Case*) are available at the Court's website: cand.uscourts.gov.

U.S. MAGISTRATE JUDGE OR CLERK OF COURT

DATE

(By) Deputy Clerk

ATTORNEY'S NAME, ADDRESS AND PHONE NUMBER:

Gary S. Lincenberg
 Bird, Marella, Boxer, Wolpert, Nessim, Drooks, Lincenberg & Rhow, PC.
 187s5 Century Park East, 23rd Floor, Los Angeles, CA 90067-2561
 310-201-2100

CAND 89B (Rev. 6/17) Subpoena to Produce Documents or Objects in a Criminal Case

PROOF OF SERVICE		
RECEIVED BY SERVER	DATE	PLACE
SERVED	DATE	PLACE
SERVED ON (PRINT NAME)	FEES AND MILEAGE TENDERED TO WITNESS <input type="checkbox"/> YES <input type="checkbox"/> NO AMOUNT \$	
SERVED BY (PRINT NAME)	TITLE	
DECLARATION OF SERVER		
I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Proof of Service is true and correct.		
Executed on _____	DATE	SIGNATURE OF SERVER
ADDRESS:		
ADDITIONAL INFORMATION		

EXHIBIT 6

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,
Plaintiff,

vs.
**MICHAEL R. LYNCH AND
STEPHEN K. CHAMBERLAIN**

Defendants.

CASE NO. 3:18-cr-00577-CRB

**[PROPOSED] LETTER ROGATORY
TO THE APPROPRIATE JUDICIAL
AUTHORITY OF THE UNITED
KINGDOM**

Hon. Charles R. Brever

The Honorable Charles R. Breyer, United States District Court Judge of the United States District Court for the Northern District of California, presents his compliments to the Appropriate Judicial Authority of the United Kingdom of Great Britain and Northern Ireland and requests international assistance to obtain evidence to be used in a criminal proceeding before this Court in the above-captioned matter.

This Court requests the assistance described herein as necessary in the interests of justice and for the purpose of a full and fair trial. The assistance requested is that the appropriate judicial authority of the Crown compel Paul Gilmer Morland to produce the documents identified below.

I. FACTUAL BACKGROUND

This request relates to a criminal case brought against Stephen Chamberlain by the United States of America in the Northern District of California. The Second Superseding Indictment ("SI") alleges that Mr. Chamberlain, Dr. Michael Lynch, and others defrauded purchasers and sellers of Autonomy securities, including, specifically, Hewlett-Packard Company ("HP") in connection with its purchase of Autonomy Corporation plc ("Autonomy") in August 2011. SI at ¶¶ 19, 21. The case against Mr. Chamberlain is in pretrial proceedings at present. This Letter Rogatory stems from a request by counsel for Mr. Chamberlain for materials which this Court has found are relevant and material for his defense at trial and requested in the interests of justice.

The charges against Mr. Chamberlain rely in part on the testimony of Mr. Morland, a former securities analyst who covered Autonomy, and who has previously testified in related proceedings, including *United States v. Hussain*, No. CR 16-462 CRB, and *Autonomy Corp. Ltd. v. Lynch*, Claim No. HC-2015-001324 (High Court of Justice, Chancery Division, London, U.K.). Mr. Morland has testified that Autonomy's senior management misled him and other market participants regarding Autonomy's finances and products. The SI alleges that analysts such as Mr. Morland relied on Autonomy's financial statements that Mr. Chamberlain helped to prepare, and that Mr. Chamberlain presented

1 deceptive information regarding Autonomy's (i) revenue from hardware sales; (ii) Original
2 Equipment Manufacturer ("OEM") revenue; and (iii) cost allocation relating to the launch
3 of its new Structured Probabilistic Engine ("SPE") product in Q3 2009, among other
4 things. Mr. Morland has claimed that this inflated financial information led to an inflated
5 share price.

6 The record as of now is materially incomplete, as Mr. Chamberlain currently has
7 access to only a limited set of Mr. Morland's relevant communications. As such, it will be
8 critical for Mr. Chamberlain to receive additional evidence from Mr. Morland in order to
9 establish that, contrary to Mr. Morland's testimony, he was not deceived and that there was
10 no fraudulent scheme.

11 **II. RECIPROCITY**

12 The United States District Court for the Northern District of California expresses its
13 willingness to provide similar assistance to judicial authorities of the United Kingdom of
14 Great Britain and Northern Ireland, should the need arise, and to the extent permissible by
15 law.

16 **III. REIMBURSEMENT FOR COSTS**

17 The United States District Court for the Northern District of California assures the
18 Courts of the United Kingdom of Great Britain and Northern Ireland that Mr. Chamberlain
19 stands ready to reimburse the judicial authorities of the United Kingdom of Great Britain
20 and Northern Ireland for any costs incurred in executing the requesting court's letters
21 rogatory.

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1 **IV. EVIDENCE TO BE OBTAINED**

2 This request is directed to Paul Gilmer Morland ("Paul Morland"), c/o Alvarium
3 Capital, 1st Floor, 10 Old Burlington Street, London, W1S 3AG, for the production of the
4 documents identified below:

5 1. All records and communications in the possession of Paul Morland relating
6 to Autonomy, Mr. Stephen Chamberlain, or Dr. Michael Lynch, including but not limited
7 to, electronic or hard copy documents, hand-written notes, reports (and drafts thereof),
8 emails, chat messages, text messages, social media account communications, voicemails
9 and audio recordings.

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12 DATED: _____

13 Honorable Charles R. Breyer
14 United States District Court Judge
Northern District of California

EXHIBIT 7

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

STEPHEN K. CHAMBERLAIN

**SUBPOENA TO PRODUCE
 DOCUMENTS OR OBJECTS
 IN A CRIMINAL CASE**

Case No.: 3:18-cr-00577-CR

Defendant(s).

TO: Northland Capital Partners Limited (previously known as Astaire Securities)

YOU ARE COMMANDED to produce at the place, date, and time specified the document(s) or object(s) indicated below. If compliance would be unreasonable or oppressive, you may file a motion requesting the court to quash or modify the subpoena, to review the documents in camera, or to permit production only pursuant to a protective order.

PLACE

<input checked="" type="checkbox"/> U.S. Courthouse	<input type="checkbox"/> U.S. Courthouse	<input type="checkbox"/> U.S. Courthouse	<input type="checkbox"/> U.S. Courthouse
450 Golden Gate Ave. San Francisco, CA 94102	280 South First St. San Jose, CA 95113	3140 Boeing Ave. McKinleyville, CA 95519	1301 Clay Street Oakland, CA 94612

COURTROOM/JUDGE	
6/Breyer	
DATE AND TIME	
12/30/2021 09:00	

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The following document(s) or object(s) shall be produced:

All communications and documents, in hard copy or electronic form, including but not limited to instant messages, texts, emails, voicemails, hand-written notes, reports (including drafts thereof), or audio recordings, generated by or sent to Paul Morland, relating to Autonomy, Mr. Stephen Chamberlain, or Dr. Michael Lynch.

NOTE: Subpoena forms requiring the appearance of a witness to testify at a criminal proceeding or to testify and bring documents to a criminal proceeding, must use Form CAND 89A, *Subpoena to Testify in a Criminal Case*) or for the production of state law enforcement personnel or complaint records (CAND 89C, *Subpoena to Produce State Law Enforcement Personnel Or Complaint Records in a Criminal Case*) are available at the Court's website: cand.uscourts.gov.

U.S. MAGISTRATE JUDGE OR CLERK OF COURT	DATE
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ATTORNEY'S NAME, ADDRESS AND PHONE NUMBER:

Gary S. Lincenberg
 Bird, Marella, Boxer, Wolpert, Nessim, Drooks, Lincenberg & Rhow, PC.
 1875 Century Park East, 23rd Floor, Los Angeles, CA 90067-2561
 310-201-2100

CAND 89B (Rev. 6/17) Subpoena to Produce Documents or Objects in a Criminal Case

PROOF OF SERVICE		
RECEIVED BY SERVER	DATE	PLACE
SERVED	DATE	PLACE
SERVED ON (PRINT NAME)	FEES AND MILEAGE TENDERED TO WITNESS <input type="checkbox"/> YES <input type="checkbox"/> NO AMOUNT \$	
SERVED BY (PRINT NAME)	TITLE	
DECLARATION OF SERVER		
I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Proof of Service is true and correct.		
Executed on _____	DATE	SIGNATURE OF SERVER
ADDRESS:		
ADDITIONAL INFORMATION		

EXHIBIT 8

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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,
Plaintiff,
vs.
MICHAEL R. LYNCH AND
STEPHEN K. CHAMBERLAIN
Defendants.

CASE NO. 3:18-cr-00577-CRB

**[PROPOSED] LETTER ROGATORY
TO THE APPROPRIATE JUDICIAL
AUTHORITY OF THE UNITED
KINGDOM**

Hon. Charles R. Brever

1 The Honorable Charles R. Breyer, United States District Court Judge of the United
 2 States District Court for the Northern District of California, presents his compliments to
 3 the Appropriate Judicial Authority of the United Kingdom of Great Britain and Northern
 4 Ireland and requests international assistance to obtain evidence to be used in a criminal
 5 proceeding before this Court in the above-captioned matter.

6 This Court requests the assistance described herein as necessary in the interests of
 7 justice and for the purpose of a full and fair trial. The assistance requested is that the
 8 appropriate judicial authority of the Crown compel Northland Capital Partners Limited
 9 (formerly Astaire Securities) to produce the materials identified below.

10 **I. FACTUAL BACKGROUND**

11 This request relates to a criminal case brought against Stephen Chamberlain by the
 12 United States of America in the Northern District of California. The Second Superseding
 13 Indictment ("SI") alleges that Mr. Chamberlain, Dr. Michael Lynch, and others defrauded
 14 purchasers and sellers of Autonomy securities, including, specifically, Hewlett-Packard
 15 Company ("HP") in connection with its purchase of Autonomy Corporation plc
 16 ("Autonomy") in August 2011. SI at ¶¶ 19, 21. The case against Mr. Chamberlain is in
 17 pretrial proceedings at present. This Letter Rogatory stems from a request by counsel for
 18 Mr. Chamberlain for materials which this Court has found are relevant and material for his
 19 defense at trial and requested in the interests of justice.

20 The charges against Mr. Chamberlain rely in part on the testimony of Mr. Morland,
 21 a former securities analyst who covered Autonomy, and who has previously testified in
 22 related proceedings, including *United States v. Hussain*, No. CR 16-462 CRB, and
 23 *Autonomy Corp. Ltd. v. Lynch*, Claim No. HC-2015-001324 (High Court of Justice,
 24 Chancery Division, London, U.K.). Mr. Morland has testified that Autonomy's senior
 25 management misled him and other market participants regarding Autonomy's finances and
 26 products. The SI alleges that analysts such as Mr. Morland relied on Autonomy's financial
 27 statements that Mr. Chamberlain helped to prepare, and that Mr. Chamberlain presented
 28 deceptive information regarding Autonomy's (i) revenue from hardware sales; (ii) Original

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2 of its new Structured Probabilistic Engine ("SPE") product in Q3 2009, among other
3 things. Mr. Morland has claimed that this inflated financial information led to an inflated
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8 establish that, contrary to Mr. Morland's testimony, he was not deceived and that there was
9 no fraudulent scheme.

10 **II. RECIPROCITY**

11 The United States District Court for the Northern District of California expresses its
12 willingness to provide similar assistance to judicial authorities of the United Kingdom of
13 Great Britain and Northern Ireland, should the need arise, and to the extent permissible by
14 law.

15 **III. REIMBURSEMENT FOR COSTS**

16 The United States District Court for the Northern District of California assures the
17 Courts of the United Kingdom of Great Britain and Northern Ireland that Mr. Chamberlain
18 stands ready to reimburse the judicial authorities of the United Kingdom of Great Britain
19 and Northern Ireland for any costs incurred in executing the requesting court's letters
20 rogatory.

21 **IV. EVIDENCE TO BE OBTAINED**

22 Mr. Morland worked at Astaire Securities from July 2008 through October 2010,
23 and reported on and communicated about Autonomy throughout his period of employment.
24 Therefore, Mr. Morland's communications and documents from this period will be relevant
25 to his coverage of Autonomy and to whether or not he was deceived.

26 This request is directed to Northland Capital Partners Limited (formerly Astaire
27 Securities), Prince Fredrick House, 35-39 Maddox Street, London W1S 2PP, for the
28 production of the materials identified below:

1 1. All communications and documents, in hard copy or electronic form,
2 including but not limited to instant messages, texts, emails, voicemails, hand-written notes,
3 reports (including drafts thereof), or audio recordings, generated by or sent to Paul
4 Morland, relating to Autonomy, Mr. Stephen Chamberlain, or Dr. Michael Lynch.

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8 DATED: _____

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Honorable Charles R. Breyer
United States District Court Judge
Northern District of California

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EXHIBIT 9

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

STEPHEN K. CHAMBERLAIN

**SUBPOENA TO PRODUCE
 DOCUMENTS OR OBJECTS
 IN A CRIMINAL CASE**

Case No.: 3:18-cr-00577-CR

Defendant(s).

TO: Peel Hunt LLP

YOU ARE COMMANDED to produce at the place, date, and time specified the document(s) or object(s) indicated below. If compliance would be unreasonable or oppressive, you may file a motion requesting the court to quash or modify the subpoena, to review the documents in camera, or to permit production only pursuant to a protective order.

PLACE

				COURTROOM/JUDGE
<input checked="" type="checkbox"/> U.S. Courthouse 450 Golden Gate Ave. San Francisco, CA 94102	<input type="checkbox"/> U.S. Courthouse 280 South First St. San Jose, CA 95113	<input type="checkbox"/> U.S. Courthouse 3140 Boeing Ave. McKinleyville, CA 95519	<input type="checkbox"/> U.S. Courthouse 1301 Clay Street Oakland, CA 94612	6/Breyer

DATE AND TIME
12/30/2021 09:00

If the document(s) or object(s) are produced in advance of the date specified, either to the court in an envelope delivered to the clerk's office or to the issuing attorney whose name and address appears below, no appearance is necessary.

The following document(s) or object(s) shall be produced:

All communications and documents, in hard copy or electronic form, generated by or sent to Mr. Paul Morland, relating to Autonomy, Mr. Stephen Chamberlain, or Dr. Michael Lynch, including but not limited to chat messages or transcripts, emails, instant messages, texts, voicemails, hand-written notes, audio recordings, and reports (or drafts thereof).

NOTE: Subpoena forms requiring the appearance of a witness to testify at a criminal proceeding or to testify and bring documents to a criminal proceeding, must use Form CAND 89A, *Subpoena to Testify in a Criminal Case*) or for the production of state law enforcement personnel or complaint records (CAND 89C, *Subpoena to Produce State Law Enforcement Personnel Or Complaint Records in a Criminal Case*) are available at the Court's website: cand.uscourts.gov.

U.S. MAGISTRATE JUDGE OR CLERK OF COURT	DATE
(By) Deputy Clerk	

ATTORNEY'S NAME, ADDRESS AND PHONE NUMBER:

Gary S. Lincenberg
 Bird, Marella, Boxer, Wolpert, Nessim, Drooks, Lincenberg & Rhow, PC.
 1875 Century Park East, 23rd Floor, Los Angeles, CA 90067-2561
 310-201-2100

CAND 89B (Rev. 6/17) Subpoena to Produce Documents or Objects in a Criminal Case

PROOF OF SERVICE		
RECEIVED BY SERVER	DATE	PLACE
SERVED	DATE	PLACE
SERVED ON (PRINT NAME)	FEES AND MILEAGE TENDERED TO WITNESS <input type="checkbox"/> YES <input type="checkbox"/> NO AMOUNT \$	
SERVED BY (PRINT NAME)	TITLE	
DECLARATION OF SERVER		
I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Proof of Service is true and correct.		
Executed on _____	DATE	SIGNATURE OF SERVER
ADDRESS:		
ADDITIONAL INFORMATION		